

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Monique West	Team: Squad #2	CCRB Case #: 201701699	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Friday, 02/24/2017 10:00 AM	Location of Incident: § 87(2)(b)	Precinct: 10	18 Mo. SOL 8/24/2018	EO SOL 8/24/2018	
Date/Time CV Reported Fri, 02/24/2017 1:43 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 03/06/2017 11:12 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Elijah Saladeen	27254	924449	PSA 4
2. POF Natalie Roman	27562	934128	PSA 4

Officer(s)	Allegation	Investigator Recommendation
A.POM Elijah Saladeen	Abuse: Police Officer Elijah Saladeen stopped § 87(2)(b)	§ 87(2)(b)
B.POF Natalie Roman	Abuse: Police Officer Natalie Roman stopped § 87(2)(b)	§ 87(2)(b)
C.POM Elijah Saladeen	Abuse: Police Officer Elijah Saladeen frisked § 87(2)(b)	§ 87(2)(b)
D.POM Elijah Saladeen	Abuse: Police Officer Elijah Saladeen searched § 87(2)(b)	§ 87(2)(b)
E.POM Elijah Saladeen	Force: Police Officer Elijah Saladeen used physical force against § 87(2)(b)	§ 87(2)(b)
F.POM Elijah Saladeen	Force: Police Officer Elijah Saladeen used a chokehold against § 87(2)(b)	§ 87(2)(b)
G.POF Natalie Roman	Force: Police Officer Natalie Roman used physical force against § 87(2)(b)	§ 87(2)(b)
H.POM Elijah Saladeen	Force: Police Officer Elijah Saladeen used physical force against § 87(2)(b)	§ 87(2)(b)

### Case Summary

On February 24, 2017, Captain John Potkay of PSA 4 reported the following incident to the Internal Affairs Bureau (IAB). On March 6, 2017, this case was received by the CCRB. The undersigned investigator and § 87(2)(g) [REDACTED]. This case is being closed over 90 days after it was received due to difficulties trying to find and obtain statements from the victim, § 87(2)(b) [REDACTED] and witnesses.

On February 24, 2017, at approximately 10:00 a.m., Police Officer Elijah Saladeen and Police Officer Natalie Roman of PSA 4 responded to a call of a man sleeping on the § 87(2)(b) [REDACTED] in Manhattan. When they arrived, they encountered § 87(2)(b) [REDACTED] in the stairwell of the § 87(2)(b) [REDACTED]. Police Officers Roman and Saladeen stopped § 87(2)(b) [REDACTED] (**allegations A and B**) and Police Officer Saladeen frisked and searched § 87(2)(b) [REDACTED] (**allegations C and D**) and then placed him in handcuffs. When § 87(2)(b) [REDACTED] began to allegedly bang his head against the wall, Police Officer Saladeen used physical force to stop him (**allegation E**). As they escorted § 87(2)(b) [REDACTED] downstairs in the elevator, a scuffle ensued. Police Officer Saladeen used a chokehold against § 87(2)(b) [REDACTED] (**allegation F**) and then he and Police Officer Roman used force to restrain him in the lobby (**allegations G and H**). § 87(2)(b) [REDACTED]

Video footage from the building's surveillance cameras located in the elevator and the lobby captured a portion of this incident. The relevant video footage is embedded below and can be found in IAs #4 and #5 (Board Reviews 02 and 03).



201701699\_20170307\_1304\_DM.mp4



201701699\_20170307\_1305\_DM.mp4

### Mediation, Civil and Criminal Histories

- Due to § 87(2)(b) [REDACTED] this case was not suitable for mediation.
- § 87(2)(b);§§ 86(1)(3)(4);§ 87(2)(c) [REDACTED]
- § 87(2)(b), § 87(2)(b);§§ 86(1)(3)(4);§ 87(2)(c) [REDACTED]
- As of August 29, 2017, § 87(2)(b) [REDACTED] has not filed a Notice of Claim with the Comptroller's Office in regards to this incident (Board Review 12).

### Civilian and Officer CCRB Histories

- This is the first CCRB complaint involving § 87(2)(b) [REDACTED] (Board Review 05).
- Police Officer Saladeen has been a member of the NYPD for 18 years and has had 12 prior allegations against him involving seven cases with no substantiated allegations or recommendations of other misconduct. He has six prior force allegations. Two were unfounded, two were unsubstantiated, one was exonerated, and one was closed as complainant uncooperative (see officer history).

- Police Officer Roman has been a member of the NYPD for 13 years and has had five prior allegations against her involving three cases with one substantiated allegation and no recommendations of other misconduct. § 87(2)(g)
- In CCRB case #201411757, an allegation that Police Officer Roman spoke discourteously to an individual was substantiated. She received a Command Discipline A from the NYPD.

### Potential Issues

- The investigation was unable to locate § 87(2)(b) who is homeless, and was therefore unable to interview him. His brother, § 87(2)(b) informed the CCRB that § 87(2)(b) did not wish to participate in an investigation and stated that he was unable to provide contact information for § 87(2)(b). The investigation, however, obtained video footage showing most of the incident, and a sworn statement from a witness.
- Sergeant Christopher Morano of IAB's group 54 informed the undersigned investigator that IAB investigators found a witness, § 87(2)(b) a resident of the building, walking her dog in front of the building while they were conducting a canvass. The IAB investigators did not obtain § 87(2)(b) address or phone number and without any additional information, the investigation was unable to locate her. IAB's case file was requested and, as per IAB, it will be provided at the conclusion of their investigation. It will be added to the CCRB case file upon receipt.
- CCRB investigators conducted field work at the incident location and located a witness, § 87(2)(b) § 87(2)(b). § 87(2)(b) stated that she was in her apartment during the incident and that she only heard noises. She declined to give a sworn statement.
- § 87(2)(b) a caretaker at the incident location, refused to provide a statement to the CCRB prior to speaking to her attorney. She stated that she would call back after speaking to her attorney but she never called or responded to the CCRB's subsequent attempts to contact her.

### Findings and Recommendations

#### Allegations Not Pleaded

- Force- § 87(2)(b) Video footage from the surveillance cameras in the elevator show that Police Officer Saladeen placed § 87(2)(b) in a chokehold. A restriction of breathing allegation was not pleaded because without a statement from § 87(2)(b) it is unknown whether his breathing was restricted by the chokehold.

**Allegation A- Abuse of Authority: Police Officer Elijah Saladeen stopped** § 87(2)(b)

**Allegation B- Abuse of Authority: Police Officer Natalie Roman stopped** § 87(2)(b)

**Allegation C- Abuse of Authority: Police Officer Elijah Saladeen frisked** § 87(2)(b)

**Allegation D- Abuse of Authority: Police Officer Elijah Saladeen searched** § 87(2)(b)

On April 12, 2017, § 87(2)(b)'s brother, who resides in an apartment on the § 87(2)(b), § 87(2)(b) provided a phone statement to the CCRB (Board Review 06). On June 20, 2017, § 87(2)(b) the supervisor of caretakers for § 87(2)(b), § 87(2)(b) provided a phone statement to the CCRB (Board Review 07). On June 29, 2017, § 87(2)(b) who resides in an apartment on the first floor of § 87(2)(b), § 87(2)(b) provided a phone statement to the CCRB (Board Review 08). On July 3, 2017, § 87(2)(b) was interviewed at the CCRB. On May 2, 2017, Police Officer Saladeen was interviewed at the CCRB. On June 6, 2017, Police Officer Roman was interviewed at the CCRB.

It is undisputed that at the time officers encountered § 87(2)(b) he was in a NYCHA building in which he did not reside. It is also undisputed that § 87(2)(b) pleaded guilty to criminal trespass in regards to this incident.

On the morning of February 24, 2017, § 87(2)(b) called PSA 4 to report a man sleeping in the staircase of the § 87(2)(b), § 87(2)(b) Police Officers Saladeen and Roman responded to the location in regards, where they encountered § 87(2)(b) in the staircase on the § 87(2)(b). According to them, § 87(2)(b) informed them that he did not live there and was just trying to sleep.

NYCHA policy states that NYCHA premises are for the exclusive use of residents, invited guests, and persons with legitimate business and that trespassing is prohibited (Board Review 09). Penal Law 140.15 states that a person is guilty of criminal trespass in the second degree when he knowingly enters or remains unlawfully in a dwelling (Board Review 10).

§ 87(2)(g)  
§ 87(2)(g)  
§ 87(2)(g)  
§ 87(2)(g)

**Allegation E- Force: Police Officer Elijah Saladeen used physical force against § 87(2)(b)**

§ 87(2)(b) stated that he heard what sounded like a fight outside his apartment and looked out to see what was happening; at which point, he saw § 87(2)(b) in handcuffs on the floor lying on the left side of his back, close to the wall near the elevators. Police Officer Saladeen was twisting his arm and leaning on his right side. § 87(2)(b) was screaming in pain. Police Officer Roman asked § 87(2)(b) if he knew § 87(2)(b) but § 87(2)(b) lied and stated that he did not know § 87(2)(b) because he did not want to get involved. § 87(2)(b) then went back into his apartment.

Police Officers Roman and Saladeen stated that after they placed § 87(2)(b) in handcuffs, § 87(2)(b) informed them that his brother lived in one of the apartments on that floor. Police Officer Roman knocked on apartment doors on the § 87(2)(b) but no one claimed to know § 87(2)(b).

Police Officer Roman stated that when she told § 87(2)(b) that no one claimed to know him, he screamed, "That's bullshit. That's my brother. I'm telling you." Police Officer Roman went back a second time to see if § 87(2)(b) who initially opened the door and said that he did not "fucking know" § 87(2)(b) would open the door and say something different but § 87(2)(b) did not open the door. Police Officer Roman told § 87(2)(b) that § 87(2)(b) was not opening the door and asked him to come with them in the elevator. § 87(2)(b) began to bang the back and side of his head hard against the wall multiple times and screamed, "I'm not fucking going nowhere." Police Officer Roman did not see any blood as a

result of this. Police Officer Roman said, “What are you crazy? Don’t do that.” § 87(2)(b) screamed, “No. I’m not going to jail. This is bullshit.” Police Officer Saladeen “took him,” using force, to stop him from banging his head.

Police Officer Saladeen stated that § 87(2)(b) became irritated and “fidgety,” swaying his body back and forth. § 87(2)(b) who was standing with his back to the wall, then banged the back of his head hard against the wall. Police Officer Saladeen grabbed § 87(2)(b) by his torso and pulled him from against the wall and held him in the center of the hallway, to keep him from banging his head against the wall again.

Force may be used when it is reasonable to ensure the safety of a member of the service or a third person, or otherwise protect life, or when it is reasonable to place a person in custody or to prevent escape from custody. In all circumstances, any application or use of force must be reasonable under the circumstances. Patrol Guide Procedure 221-01 (Board Review 11).

§ 87(2)(g)

**Allegation F- Force: Police Officer Saladeen used a chokehold against § 87(2)(b)**

Video footage taken from the elevator’s surveillance camera, embedded below, shows a handcuffed § 87(2)(b) facing the corner of the elevator for the majority of the ride. § 87(2)(b) does not appear to be bleeding or to have any injuries to his face in the elevator. Police Officer Saladeen, who is holding § 87(2)(b) by his arm, lets go to take out his cell phone. After a few seconds, § 87(2)(b) turns his head towards Police Officer Saladeen in a quick motion. Police Officer Saladeen then grabs § 87(2)(b) by the arm and pushes him back into the corner of the elevator. As the elevator door opens, Police Officer Saladeen appears to grab § 87(2)(b) by the back of his neck. There is some push and pull movements between the two of them before Police Officer Saladeen places his entire forearm around the front of § 87(2)(b) s neck as he pushes him out of the elevator from behind. Police Officer Saladeen’s arm remains across the front of § 87(2)(b) s neck for the next 10 seconds, as they exit the elevator and go off camera. At the time they leave the view of the camera, they are both upright and Police Officer Saladeen’s arm is still across the front of § 87(2)(b) s neck. § 87(2)(b) does not appear to have any apparent injuries or bleeding to his face as they exit the elevator.



201701699\_20170307\_1304\_DM.mp4

Video footage from the lobby, embedded below, shows Police Officers Saladeen and § 87(2)(b) exiting the elevator with Police Officer Saladeen immediately behind § 87(2)(b) with his arm apparently across the front of § 87(2)(b) s neck as they exit. Police Officer Saladeen’s arm remains across the front of § 87(2)(b) s neck for approximately 10 seconds after they exit the elevator, until they both fall to the ground, with § 87(2)(b) falling on his front and with Police Officer Saladeen falling on § 87(2)(b) s back with his arm apparently still across the front of § 87(2)(b) s neck. Once they are on the ground, Police Officer Saladeen removes his arm and rises to straddle § 87(2)(b)



201701699\_20170829\_1714\_DM.mp4

In his CCRB interview, prior to being shown the video footage, Police Officer Saladeen stated once § 87(2)(b) began to bang his head against the wall, on the § 87(2)(b), he decided to bring § 87(2)(b) to the hospital as an EDP. While in the elevator, on the way to the lobby, § 87(2)(b) began to say, “I’m going to get five years. I’m not going. I hate my life right now. I think I can take you” and began to “challenge” the officers. Neither Police Officer Saladeen nor Police Officer Roman responded to him. When the elevator door opened, Police Officer Saladeen began escorting § 87(2)(b) who was to his right, off of the elevator by his arm; at which point, § 87(2)(b) turned towards him and moved his face in Police Officer Saladeen’s direction, leading him to believe that he was attempting to bite and spit at him. Police Officer Saladeen continued to try to get § 87(2)(b) off of the elevator. He stated that there was a bit of confusion because Police Officer Roman was trying to get off of the elevator at the same time. Other than holding § 87(2)(b)’s arm and moving him out of the elevator, he did not take any additional action at that time.

After watching the video, during his CCRB interview, Police Officer Saladeen stated that he did not recall having his arm around § 87(2)(b)’s throat. When asked why he grabbed him in that manner, he stated that he was simply trying to hold him. When his legal representative asked whether he was intentionally grabbing his neck or whether he was grabbing his torso, Police Officer Saladeen responded, “No. I was just restraining him, holding him. It wasn’t a choke.”

Police Officer Roman stated that at the point they entered the elevator, they had not decided what they were going to do with § 87(2)(b). Inside of the elevator, § 87(2)(b) screamed, “This is bullshit. My life has been ridiculous. Sometimes I feel like I just want to die.” Police Officer Saladeen told him to, “Please calm down.” They were trying to get him to stop making those comments and told him to stop talking. § 87(2)(b) responded, “No. This is bullshit. I can’t take this. I’m not going to jail.” Shortly before the elevator doors opened, § 87(2)(b) “charged” at Police Officer Saladeen “out of nowhere.” He threw his whole body, chest first, on top of Police Officer Saladeen. Police Officer Roman believed that § 87(2)(b) made contact with Police Officer Saladeen’s chest. Police Officer Saladeen used both of his arms to grab § 87(2)(b) around his torso. Police Officer Roman did not remember if Police Officer Saladeen placed his arms over or under § 87(2)(b)’s arms. They were facing each other with § 87(2)(b)’s back facing Police Officer Roman.

Police Officer Roman stated that even though § 87(2)(b)’s hands were handcuffed, he was trying to fight and they began to wrestle. Police Officer Roman tried to “bear hug” § 87(2)(b)’s bottom area and grabbed his legs because he was kicking. Once she did this, she did not look up and was more focused on his legs. § 87(2)(b) pushed her back, causing her to lose her grip on his legs. In response, she grabbed his pants. Police Officer Saladeen was “taking care of” his upper body. Aside from the bear hug, she did not know what else, if anything, Police Officer Saladeen did in response to § 87(2)(b)’s movements. Police Officer Roman heard § 87(2)(b) make “spitting noises” with his throat as if he was about to spit. She did not see him spit and he did not spit on her. She was not sure whether he spit on Police Officer Saladeen. While they were still struggling with him, the elevator doors opened. She did not recall seeing Police Officer Saladeen put his arm around § 87(2)(b)’s neck.

Patrol Guide Procedure 221-01 states that members of the service shall not use a chokehold and includes, but is not limited to, any pressure to the throat or windpipe which may prevent or hinder or reduce the intake of air (Board Review 11).

§ 87(2)(g)

**Allegation G- Force: Police Officer Natalie Roman used physical force against § 87(2)(b)**

**Allegation H- Force: Police Officer Elijah Saladeen used physical force against § 87(2)(b)**

Video footage from the cameras in the lobby of the building, embedded below, shows that once Police Officer Saladeen and § 87(2)(b) step out of the elevator, the struggle between them causes them to fall to the ground. § 87(2)(b) ended up faced down on the floor while Police Officer Saladeen straddled him. § 87(2)(b) does not appear to move once in this position. Police Officer Roman appears to stand on § 87(2)(b)'s lower legs, near his ankles. Police Officer Saladeen moves his hands but it is unclear what he is doing. After a few seconds, Police Officer Roman walks out of the view of the camera. Police Officer Saladeen pulls § 87(2)(b) to a seated position on the floor, holding him by what appears to be the back of his neck with one hand. He appears to be texting with his other hand. He puts the phone away, grabs § 87(2)(b) by what appears to be the back of his neck with two hands and then goes back to holding him with one hand before taking his phone back out. § 87(2)(b) does not appear to have any apparent bleeding or injuries to his face at this point.



201701699\_20170906\_1520\_DM.mp4

After a while, § 87(2)(b) moves to stand and Police Officer Saladeen pushes him back down to the floor. Approximately five seconds later, Police Officer Saladeen appears to punch § 87(2)(b) at least three times in quick succession. It is unclear if or where those punches land; however, Police Officer § 87(2)(b) is straddling § 87(2)(b)'s upper torso and the punches appear aimed towards § 87(2)(b)'s head, which is blocked from camera view by Police Officer § 87(2)(b)'s body. § 87(2)(b) can be seen moving his legs during this time. Approximately five seconds after the initial apparent punches, at least once more. Police Officer Saladeen appears to punch § 87(2)(b) again. It is unclear if or where the strike lands though again, it appears to be in the area of § 87(2)(b)'s head. § 87(2)(b) continues to move his body. Police Officers Saladeen and Roman appear to use their lower body to restrain him. It is unclear what they are doing with their hands. § 87(2)(b) eventually stops moving. The rest of the video continues with § 87(2)(b) lying still on his left side with the officers leaning over him.



201701699\_20170829\_1716\_DM.mp4

Police Officer Saladeen stated that he tried to restrain § 87(2)(b) by holding onto whatever part of his body he could get and told him to stop resisting. He was not sure which parts of his body he grabbed onto but he believed that it was the front of his body, his arms, and waist. He estimated that after approximately three minutes of struggling with § 87(2)(b) he hit § 87(2)(b) twice in the face below the cheek bone to get him to stop resisting. The strikes were seconds apart. Police Officer Saladeen commanded him to stop resisting at least twice. He began giving § 87(2)(b) commands while they were struggling on the floor before he struck him. He commanded him to stop resisting again after he struck him. The struggle continued after he struck him but to a lesser extent. § 87(2)(b) never stopped resisting but he stopped pulling away. He continued to yell and scream. Police Officer Saladeen was able to gain physical control of § 87(2)(b) after the second punch. Police Officer Saladeen stated that § 87(2)(b) attempted to spit on him during this time but denied that he successfully spit on him or that he did anything to stop him from spitting.

Police Officer Roman stated that Police Officer Saladeen looked back and saw her holding onto § 87(2)(b)'s bottom area and told her to let him go, stating that he had him. She asked him if he was sure and stated that she was trying to help him. He repeated for her to let him go and that he had him; Police Officer Roman released her grip on § 87(2)(b). After they fell to the ground, § 87(2)(b) began kicking his legs and placing one leg over the other to try to turn his body over, and push his upper body away from the floor, in order to get out of Police Officer Saladeen's hold. Police Officer Roman stood with both of her feet on § 87(2)(b)'s legs to stop him from turning, flipping, and kicking. Police Officer Saladeen saw her helping again and told her to get off of § 87(2)(b) stating again that he had him. She told him that she was trying to help him. Police Officer Saladeen screamed, "Let him go." Police Officer Roman got up and let § 87(2)(b) go.

Police Officer Roman stepped away from them and watched. She saw § 87(2)(b) who was on his left side, facing right, spit once or twice. § 87(2)(b)'s mouth opened, inches from Police Officer Saladeen's arm, seemingly to intentionally bite him. Police Officer Roman screamed, "Oh shit. Saladeen, he's going to bite you." Police Officer Saladeen then punched § 87(2)(b) with his right hand before § 87(2)(b) was able to bite him. She saw Police Officer Saladeen swing his fist in § 87(2)(b)'s direction and heard the fist make contact but she did not see where it made contact. She only saw and heard Police Officer Saladeen punch him once. Police Officer Saladeen grabbed § 87(2)(b)'s back and pushed him down so that his face was against the floor, preventing him from biting. When he did that, Police Officer Roman grabbed Police Officer Saladeen's arm and said, "Stop. Just stop." § 87(2)(b) said, "You see. You see what I'm fucking talking about. He's trying to fight." She told § 87(2)(b) "Just shut up. Just stop resisting. Please. You're making it worse. Just stop." § 87(2)(b) screamed, "No. He wants to fight me. You think you're all fucking tough. Let's go. Take the cuffs off." Police Officer Saladeen grabbed and pushed § 87(2)(b)'s face down by the back up his neck and upper shoulder area, telling him to "shut up." Police Officer Roman told Police Officer Saladeen to "just stop, please just stop. It ends right here." Police Officer Saladeen "loosened up" a little.

Police Officer Roman called her sergeant and his operator and asked them to respond to the location. She believed that she was looking away while she was making the phone call. When she looked back after getting off the phone, she saw blood spread out on the floor, pooled beneath



§ 87(2)(b)'s head. She did not see where he was bleeding from. The blood on the floor was right underneath his face.

§ 87(2)(b) stated that he was inside his apartment, on the first floor of § 87(2)(b) when he heard a "ruckus" and § 87(2)(b) scream, "Get off of me." When he looked out of the peephole, § 87(2)(b) was standing still in handcuffs with his back against the wall. The officers were not doing anything aside from holding § 87(2)(b) against the wall. § 87(2)(b) was telling them to get off of him. § 87(2)(b) did not see § 87(2)(b) spit but heard Police Officer Saladeen say, "He spit on me. Why you spit on me?" Police Officer Saladeen grabbed § 87(2)(b) who was standing a few inches away from the wall, around the lower part of his neck and the upper part of his chest and pushed him once, causing the back of § 87(2)(b)'s head to make contact with the wall.

Police Officer Saladeen then pushed § 87(2)(b) towards the janitor's closet. The door to the closet was closed but it was not locked. When he pushed him against the door, it opened and they both moved inside. Police Officer Roman was standing with them but did not interact with § 87(2)(b). They were inside of the closet for approximately a minute and a half. He could not see what happened while they were in the closet but heard § 87(2)(b) yelling.

When they came out of the closet, Police Officer Saladeen was grabbing § 87(2)(b) from the front and then threw him, face up, on the ground. Police Officer Saladeen then put his knee in § 87(2)(b)'s chest for approximately one minute and then whispered something in his ear. § 87(2)(b) did not know what he said to him. Police Officer Saladeen lifted § 87(2)(b) up; at which point, § 87(2)(b) screamed, "I'm watching you. You're on camera." Police Officer Saladeen then took § 87(2)(b) around to the front of the lobby, where § 87(2)(b) could not see. § 87(2)(b) did not see anything that happened after this. He did not see the officers punch or kick § 87(2)(b).

Both Police Officer Saladeen and Police Officer Roman noted in their respective Threat, Resistance, or Injury (TRI) Reports that they used a forcible takedown and wrestled § 87(2)(b) to the ground to overcome his resistance and aggression, to defend themselves, and to stop § 87(2)(b) from inflicting harm upon himself (Board Review 13). The TRI Reports prepared by both officers stated that no hand strikes were used by officers against § 87(2)(b). The TRI Report prepared by Police Officer Roman noted that § 87(2)(b) sustained a laceration to his left cheek that required stitches. § 87(2)(b)'s arrest photograph shows a large bruise and significant swelling to his left eye and cheek as well as a sutured laceration beneath his left eye (Board Review 14).

Patrol Guide Procedure 221-01 states that force may be used when it is reasonable to ensure the safety of a member of the service or a third person, or otherwise protect life, or when it is reasonable to place a person in custody or to prevent escape from custody. In all circumstances, any application or use of force must be reasonable under the circumstances. Members of the service may not use any level of force on handcuffed or otherwise restrained subjects unless necessary to prevent injury, escape or to overcome active physical resistance or assault (Board Review 11).

It is undisputed that § 87(2)(b) continued to resist arrest even after he was in handcuffs, moving his legs and his body. § 87(2)(g)

§ 87(2)(b). As seen in the video footage above, when § 87(2)(b) enters the elevator, his face appears uninjured and unbloodied. When § 87(2)(b) is first thrown to the floor in the lobby, he falls on the right side

of his body, and the takedown is relatively controlled; his hips hit the ground first, and it appears that his shoulder and Police Officer Saladeen's shoulder hits the ground next without his face ever striking the floor. When he is sat upright, no blood can be seen on his face.

When he was taken to the ground the second time, it was also onto his right side, leaving his left side exposed to the right handed punches by Police Officer Saladeen. Police Officer Saladeen had § 87(2)(b) straddled on the floor with his hands rear cuffed when he punched him in the face multiple times. As seen in the TRI and in § 87(2)(b)'s arrest photo, § 87(2)(b) sustained a serious injury to the left side of his face that left his face swollen with a contusion and lacerations that required multiple stitches. Upon reviewing the video, it seems clear that the injuries to the left side of § 87(2)(b)'s face were not caused by any impact on the ground, but rather by the punches thrown by Police Officer Saladeen while § 87(2)(b) was in handcuffs.

In addition, Police Officer Roman stated that she offered to assist Police Officer Saladeen twice during this period but both times he refused her help, stating that he had everything under control and did not need her assistance.

§ 87(2)(g)

---

Squad: 2

Investigator:	_____	_____	_____
	Signature	Print	Date
Squad Leader:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date